



STATE BOARD OF EQUALIZATION

450 N STREET, SACRAMENTO, CALIFORNIA
(P.O. BOX 942879, SACRAMENTO, CALIFORNIA 94279-0001)
(916) 445-6450

MEMBER
First District

BRAD SHERMAN
Second District, Los Angeles

ERNEST J. DRONENBURG, JR.
Third District, San Diego

MATTHEW K. FONG
Fourth District, Los Angeles

GRAY DAVIS
Controller, Sacramento

BURTON W. OLIVER
Executive Director

July 7, 1994

Ms. P--- A--- L---
Credit Manager
C--- P---
P. O. Box XXX
--- ---, CA XXXXX

Re: SR --- XX-XXXXXX

Dear Ms. L---:

This is in reply to your April 28, 1994 letter regarding the application of sales tax to charges by C--- P--- of the publication "T---".

You note that the publication is printed weekly and delivered by C--- P--- to a daily newspaper to be inserted once a week. You did not provide further facts. We assume that C--- P--- does not sell the publication to the publisher of the newspaper but sells it to another person who contracts with the publisher of the newspaper to have the publication distributed as a component part of the newspaper.

The Board of Equalization has taken the position that tax does not apply to sales of tangible personal property to persons who purchase the property for incorporation as a component part of a newspaper or periodical which will be sold notwithstanding that the purchaser is not the seller of the newspaper or periodical. Assuming that these are the facts concerning your sale of the publication "T---", tax does not apply to your sale of the publication.

Ms. P--- A--- L---

-2-

July 6, 1994
385.0355

We hope this answers your question(s); however, if you need further information, feel free to write again.

Very truly yours,

Ronald L. Dick
Senior Tax Counsel

RLD:plh

cc: --- District Administrator - --